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10/808,429	03/25/2004	Shyh-Kwei Chen	YOR920040052US1	6945

48150 7590 02/13/2008	**EXAMINER**
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ART UNIT	PAPER NUMBER
2166	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/808,429	CHEN ET AL.
Office Action Summary	Examiner	Art Unit	
	Johnese Johnson	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 November 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1 and 3-38</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1 and 3-38</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

Remarks

1.   In response to the Amendment filed on 9 November 2007, claims 1 and 3-38 are

pending.

2.   The rejection under 35 USC 101 to claims 13-20 are maintained because

although the claims are directed to a system, "the system is in fact software modules,

i.e., software per se.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

4.   Claims 13-20 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

Claims 13- 20 are directed to software modules which is *software per se.*

Software per se is also known as nonfunctional descriptive material (See MPEP 2106).

The claims must be amended to recite ***hardware*** (i.e. processor, memory, etc...) in the

body to overcome the rejection.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1, 3-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Burke et al. (US Pat. No. 6,789,252), in view of Sheard et al. (US Pat. No. 6,208,345),

and further in view of Mitchell et al. (US PG Pub. No. 2005/0229186).

As to claim 1,   Burke et al. disclose:

determining an object definition for an object based upon a collaboration code (see col.

19, lines 22-24); and

Storing said business object definition (see col. 25, lines 23-25).

However, Burke et al. does not explicitly disclose:

receiving an object and a collaboration code

Sheard et al. Discloses:

receiving an object (see col. 31, line 31) and a collaboration code (see col. 14, lines 28-

31).

        It would have been obvious to have modified the teachings of Burke et al. by the

teachings of Sheard et al. to provide an improved data integration system

and methodology capable of effectively integrating data produced by

applications of varying technologies (see <u>Sheard et al.</u> col. 2, lines 65-67 and col. 3, line 1).

However the combination of <u>Burke et al.</u> and <u>Sheard et al.</u> does not explicitly disclose:

wherein said collaboration code determines said business object definition for said object without pre-defined business object definitions.

<u>Mitchell et al</u> does disclose:

wherein said collaboration code determines said business object definition for said object without pre-defined business object definitions (see paragraphs [0022] - [0025]).

It would have been obvious to have modified the teachings of <u>Burke et al.</u> and <u>Sheard et al.</u> by the teachings of <u>Mitchell et al.</u> to dynamically aggregate inheritance, data, functionality, and entire types to runtime objects (see <u>Mitchell et al</u> paragraph [0017]), because previous methods were too costly and too time consuming (see <u>Mitchell et al</u> paragraph [0010]).

As to claim 3, <u>Burke et al.</u>, as modified, discloses:

wherein said object comprises a business object (see <u>Burke et al.</u> col. 34, lines 26-28 and 37-42).

As to claim 4, <u>Burke et al.</u>, as modified, discloses:

forwarding said object and said object definition (see <u>Burke et al.</u> col. 34, lines 45-48).

As to claim 5,   Burke et al., as modified, discloses:

wherein said forwarding comprises forwarding said object and said object definition to

an application adapter (see Burke et al. col. 34, lines 26-28 and 37-42 and col. 42, lines

64-66).

As to claim 6,   Burke et al., as modified, discloses:

processing said object based upon said object definition in said application adapter (see

Burke et al. col. 6, lines 20-21).

As to claim 7,   Burke et al., as modified, discloses:

wherein said collaboration code determines how data from a second object is mapped

to said object (see Burke et al. col. 21, lines 1-8).

As to claim 8,   Burke et al., as modified, discloses:

wherein said collaboration code determines how said object is derived from said second

object (see Burke et al. col. 21, lines 1-5).

As to claim 9,   Burke et al., as modified, discloses:

wherein said collaboration code determines how said object is derived from said second

object and a second object definition (see Burke et al. col. 21, lines 1-5).

As to claim 10,   Burke et al., as modified, discloses:

further comprising receiving said second object definition (see <u>Burke et al.</u> col. 34, lines

26-28 and 37-42 and <u>Burke et al.</u> col. 21, line 3 – second object).

As to claim 11, <u>Burke et al.</u>, as modified, discloses:

wherein said determining comprises determining said object definition for said object

based upon said collaboration code and said second object definition (see <u>Burke et al.</u>

col. 17, lines 48-49 and <u>Burke et al.</u> col. 21, line 3 – second object).

As to claim 12, <u>Burke et al.</u>, as modified, discloses:

wherein said receiving comprises receiving said object and said collaboration code from

a broker (see <u>Burke et al.</u> col. 34, lines 26-28 and 37-42; wherein the means allows

data to be exchanged/ integrated in different formats).

As to claim 13, <u>Burke et al.</u> discloses:

means for determining an object definition for said object based upon said collaboration

code (see col. 17, lines 48-49 and col. 20, lines 10-11).

However, <u>Burke et al.</u> does not explicitly disclose:

means for receiving an object and a collaboration code.

<u>Sheard et al.</u> disclose:

means for receiving an object (see col. 31, line 31) and a collaboration code (see col.

14, lines 28-31).

It would have been obvious to have modified the teachings of <u>Burke et al.</u> et al.

by the teachings of <u>Sheard et al.</u> to provide an improved data integration system

and methodology capable of effectively integrating data produced by applications of

varying technologies (see <u>Sheard et al.</u> col. 2, lines 65-67 and col. 3, line 1).

However the combination of <u>Burke et al.</u> and <u>Sheard et al.</u> does not explicitly disclose:

wherein said collaboration code determines said business object definition for said

object without pre-defined business object definitions.

<u>Mitchell et al</u> does disclose:

wherein said collaboration code determines said business object definition for said

object without pre-defined business object definitions (see paragraphs [0022] - [0025]).

It would have been obvious to have modified the teachings of <u>Burke et al.</u> and

<u>Sheard et al.</u> by the teachings of <u>Mitchell et al.</u> to dynamically aggregate inheritance,

data, functionality, and entire types to runtime objects (see <u>Mitchell et al</u> paragraph

[0017]), because previous methods were too costly and too time consuming (see

<u>Mitchell et al</u> paragraph [0010]).

As to claim 14,   <u>Burke et al.</u>, as modified, discloses:

wherein said object comprises a business object (see <u>Burke et al.</u> col. 34, lines 26-28

and lines 37-42).

As to claim 15,   <u>Burke et al.</u>, as modified, discloses:

means for forwarding said object and said object definition to an application adapter

(see Burke et al. col. 34, lines 26-28 and lines 37-42 and Burke et al. col. 42, lines 64-

66).

As to claim 16,   Burke et al., as modified, discloses:

wherein said collaboration code determines how data from a second object is mapped

to said object (see Burke et al. col. 21, lines 1-8).

As to claim 17,   Burke et al., as modified, discloses:

means for receiving a second object definition, wherein said collaboration code

determines how said object is derived from said second object and said second object

definition (see Burke et al. col. 21, lines 1-5).

As to claim 18,   Burke et al., as modified, discloses:

wherein said means for determining comprises means for determining said object

definition for said object based upon said collaboration code and said second object

definition (see Burke et al. col. 17, lines 48-49 and Burke et al. col. 21, line 3 – second

object).

As to claim 19,   Burke et al., as modified, discloses:

wherein said means for receiving comprises means for receiving said object and said

collaboration code from a broker (see Burke et al. col. 34, lines 26-28 and 37-42;

wherein the means allows data to be exchanged/ integrated in different formats).

As to claim 20, Burke et al., disclose:

determines a first object definition based upon said collaboration code (see col. 19, lines

22-24).

However, Burke et al. do not explicitly disclose:

a reverse object discovery agent that receives a first object and a collaboration code

from a broker.

Sheard et al. disclose:

a reverse object discovery agent that receives a first object (see col. 31, line 31) and a

collaboration code (see col. 14, lines 28-31).

It would have been obvious to have modified the teachings of Burke et al. by the

teachings of Sheard et al. to provide an improved data integration system

and methodology capable of effectively integrating data produced by

applications of varying technologies (see Sheard et al. col. 2, lines 65-67 and col. 3, line

1).

However the combination of Burke et al. and Sheard et al. does not explicitly disclose:

wherein said collaboration code determines said business object definition for said

object without pre-defined business object definitions.

Mitchell et al does disclose:

wherein said collaboration code determines said business object definition for said

object without pre-defined business object definitions (see paragraphs [0022] - [0025]).

It would have been obvious to have modified the teachings of Burke et al. and

Sheard et al. by the teachings of Mitchell et al. to dynamically aggregate inheritance,

data, functionality, and entire types to runtime objects (see Mitchell et al paragraph

[0017]), because previous methods were too costly and too time consuming (see

Mitchell et al paragraph [0010]).

As to claim 21,   Burke et al., as modified, discloses:

a broker that receives a second object and a second object definition and that

generates said first object using said collaboration code (see Burke et al. col. 34, lines

26-28 and 37-42 and col. 20, lines 21-23).

As to claim 22,   Burke et al., as modified, discloses:

wherein said collaboration code determines how said first object is derived from said

second object (see Burke et al. col. 21, lines 1-5).

As to claim 23,   Burke et al., as modified, discloses:

wherein said collaboration code determines how said first object is derived from second

object and said second object definition (see Burke et al. col. 21, lines 1-5).

As to claim 24,   Burke et al., as modified, discloses:

an application adapter that receives said first object and said first object definition from

said reverse object discovery agent (see Burke et al. col. 34, lines 26-28 and lines 37-

42 and col. 42, lines 64-66).

As to claim 25,   Burke et al., as modified, discloses:

determining whether an object conforms to a known object definition (see col. 21, lines

12-15); and

Storing said business object definition (see col. 25, lines 23-25).

However, Burke et al. does not explicitly disclose:

requesting a collaboration code and an input object definition if said object does not·

conform to a known object definition; and

receiving an object and a collaboration code

Sheard et al. Discloses:

requesting a collaboration code (see col. 14, lines 28-31) and an input object definition

if said object does not conform to a known object definition (see col. 31, line 31).

receiving an object (see col. 31, line 31) and a collaboration code (see col. 14, lines 28-

31).

It would have been obvious to have modified the teachings of Burke et al. by the

teachings of Sheard et al. to provide an improved data integration system

and methodology capable of effectively integrating data produced by

applications of varying technologies (see Sheard et al. col. 2, lines 65-67 and col. 3, line

1).

However the combination of <u>Burke et al.</u> and <u>Sheard et al.</u> does not explicitly disclose:

wherein said collaboration code determines said business object definition for said

object without pre-defined business object definitions.

<u>Mitchell et al</u> does disclose:

wherein said collaboration code determines said business object definition for said

object without pre-defined business object definitions (see paragraphs [0022] - [0025]).

It would have been obvious to have modified the teachings of <u>Burke et al.</u> and

<u>Sheard et al.</u> by the teachings of <u>Mitchell et al.</u> to dynamically aggregate inheritance,

data, functionality, and entire types to runtime objects (see <u>Mitchell et al</u> paragraph

[0017]), because previous methods were too costly and too time consuming (see

<u>Mitchell et al</u> paragraph [0010]).

As to claim 26,   <u>Burke et al.</u>, as modified, discloses:

analyzing said collaboration code and said input object definition (see <u>Burke et al.</u> col.

21, lines 1-8).

As to claim 27,   <u>Burke et al.</u>, as modified, discloses:

creating a new object definition based upon the results of said analyzing (see <u>Burke et</u>

<u>al.</u> col. 20, lines 21-23).

As to claim 28,   <u>Burke et al.</u>, as modified, discloses:

forwarding said object if said object conforms to a known object definition (see <u>Burke et al.</u> col. 34, lines 45-48).

As to claim 29   <u>Burke et al.</u>, as modified, discloses:

wherein said object comprises a business object (see <u>Burke et al.</u> col. 34, lines 26-28 and lines 37-42).

As to claim 30,   <u>Burke et al.</u>, as modified, discloses:

forwarding said new object definition to an application adapter (see <u>Burke et al.</u> col. 34, lines 26-28 and lines 37-42 and <u>Burke et al.</u> col. 42, lines 64-66).

As to claim 31,   <u>Burke et al.</u>, as modified, discloses:

receiving a subscription from said application adapter for said new object definition (see <u>Burke et al.</u> col. 50, lines 61-63; wherein the notification subscriptions are received and configured).

As to claim 32,   <u>Burke et al.</u>, as modified, discloses:

forwarding said object in response to said subscription (see <u>Burke et al.</u> col. 34, lines 45-48 and col. 50, lines 58-63).

As to claim 33,   <u>Burke et al.</u>, disclose:

instructions for determining a business object definition for said object based upon

said collaboration code (see Burke et al. col. 15, line 53 and col. 17, lines 48-49).

Instructions for storing said business object definition (see Burke et al. col. 15, line 53

and col. 17, lines 48-49.

However, Burke et al. does not explicitly disclose:

instructions for receiving an object and a collaboration code

Sheard et al. Discloses:

instructions for receiving an object and a collaboration code (see Sheard et al. col. 12,

lines 28-29).

It would have been obvious to have modified the teachings of Burke et al. by the

teachings of Sheard et al. to provide an improved data integration system

and methodology capable of effectively integrating data produced by

applications of varying technologies (see Sheard et al. col. 2, lines 65-67 and col. 3, line

1).

However the combination of Burke et al. and Sheard et al. does not explicitly disclose:

wherein said collaboration code determines said business object definition for said

object without pre-defined business object definitions.

Mitchell et al does disclose:

wherein said collaboration code determines said business object definition for said

object without pre-defined business object definitions (see paragraphs [0022] - [0025]).

It would have been obvious to have modified the teachings of Burke et al. and

Sheard et al. by the teachings of Mitchell et al. to dynamically aggregate inheritance,

data, functionality, and entire types to runtime objects (see Mitchell et al paragraph

[0017]), because previous methods were too costly and too time consuming (see

Mitchell et al paragraph [0010]).

As to claim 34,   Burke et al., as modified, discloses:

wherein said object comprises a business object (see Burke et al. col. 34, lines 26-28

and lines 37-42).

As to claim 35,   Burke et al., as modified, discloses:

instructions for forwarding said new object definition to an application adapter(see Burke

et al. col. 34, lines 26-28 and lines 37-42 and Burke et al. col. 42, lines 64-66).

As to claim 36,   Burke et al., as modified, discloses:

instructions for receiving a subscription from said application adapter for said new object

definition (see Burke et al. col. 15, line 53 and col. 50, lines 61-63; wherein the

notification subscriptions are received and configured).

As to claim 37,   Burke et al., as modified, discloses:

instructions for forwarding said object in response to said subscription (see Burke et al.

col. 15, line 53, col. 34, lines 45-48 and col. 50, lines 58-63).

As to claim 38, Burke et al., as modified, discloses:

Wherein said collaboration code comprise dynamically generated business object newly

discovered during runtime (see <u>Mitchell et al</u> paragraphs [0022] - [0025]).

Response to Arguments

7.   Applicant's arguments with respect to claim1, 13, 20, 25, and 33 have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnese Johnson whose telephone number is 571-270-1097. The examiner can normally be reached on 4/5/9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

11 February 2008
JJ

Neveen Abdel-Jalil
primary Examiner